

(5) in conjunction with other Federal need-based student financial assistance programs, for financial assistance, and costs related to tuition, fees, and books for enrolling in courses required to complete the degree involved, to meet certification or licensing requirements for teachers who work in language instruction educational programs or serve English learners; and

(6) as appropriate, to support strategies that promote school readiness of English learners and their transition from early childhood education programs, such as Head Start or State-run preschool programs, to elementary school programs.

(Pub. L. 89-10, title III, §3131, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1706; amended Pub. L. 114-95, title III, §3003(m), Dec. 10, 2015, 129 Stat. 1964.)

PRIOR PROVISIONS

A prior section 6861, Pub. L. 89-10, title III, §3141, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3649, related to regional technical support and professional development, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 3131 of Pub. L. 89-10 was classified to section 6841 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

AMENDMENTS

2015—Pub. L. 114-95 amended section generally. Prior to amendment, section related to grants to be used for preservice professional development programs, for development of curricula, and for financial assistance for certain language teachers.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

SUBPART 4—DEFINITIONS

§ 6871. Repealed. Pub. L. 114-95, title III, §3001(2)(C), Dec. 10, 2015, 129 Stat. 1953

Section, Pub. L. 89-10, title III, §3141, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1706, defined “eligible entity”.

A prior section 6871, Pub. L. 89-10, title III, §3151, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3652, related to educational technology product development, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 3141 of Pub. L. 89-10 was classified to section 6861 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

Prior sections 6891 to 6894 were repealed by Pub. L. 114-95, §5, title III, §3001(3), Dec. 10, 2015, 129 Stat. 1806, 1953, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Section 6891, Pub. L. 89-10, title III, §3201, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1706, provided that former part B of this subchapter could be cited as the “Improving Language Instruction Educational Programs For Academic Achievement Act”.

A prior section 6891, Pub. L. 89-10, title III, §3201, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3654, set out short title of the Star Schools Act, prior to the general amendment of this subchapter by Pub. L. 107-110.

Section 6892, Pub. L. 89-10, title III, §3202, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1707, related to purpose of former part B of this subchapter.

A prior section 6892, Pub. L. 89-10, title III, §3202, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3654, set forth findings relating to the Star Schools Program, prior to the general amendment of this subchapter by Pub. L. 107-110.

Section 6893, Pub. L. 89-10, title III, §3203, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1707, related to Native American children in school.

A prior section 6893, Pub. L. 89-10, title III, §3203, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3655, set forth purpose of the Star Schools Program, prior to the general amendment of this subchapter by Pub. L. 107-110.

Section 6894, Pub. L. 89-10, title III, §3204, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1707, related to residents of the territories and freely associated states.

A prior section 6894, Pub. L. 89-10, title III, §3204, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3655, authorized grants, prior to the general amendment of this subchapter by Pub. L. 107-110.

Prior sections 6895 to 6900 were omitted in the general amendment of this subchapter by Pub. L. 107-110.

Section 6895, Pub. L. 89-10, title III, §3205, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3656, related to eligible entities.

Section 6896, Pub. L. 89-10, title III, §3206, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3657, related to applications for grants.

Section 6897, Pub. L. 89-10, title III, §3207, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3660, related to leadership and evaluation activities.

Section 6898, Pub. L. 89-10, title III, §3208, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3661, defined terms.

Section 6899, Pub. L. 89-10, title III, §3209, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3661, set forth administrative provisions.

Section 6900, Pub. L. 89-10, title III, §3210, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3661, related to other assistance.

Prior sections 6911 to 6918 were repealed by Pub. L. 114-95, §5, title III, §3001(3), Dec. 10, 2015, 129 Stat. 1806, 1953, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Section 6911, Pub. L. 89-10, title III, §3211, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1707, related to financial assistance for language instruction educational programs.

Section 6912, Pub. L. 89-10, title III, §3212, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1708, related to program enhancement activities.

Section 6913, Pub. L. 89-10, title III, §3213, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1709, related to comprehensive school and systemwide improvement activities.

Section 6914, Pub. L. 89-10, title III, §3214, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1712, related to grant applications.

Section 6915, Pub. L. 89-10, title III, §3215, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1716, related to capacity building.

Section 6916, Pub. L. 89-10, title III, §3216, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1716, related to programs for Native Americans and Puerto Rico.

Section 6917, Pub. L. 89-10, title III, §3217, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1716, related to evaluations.

Section 6918, Pub. L. 89-10, title III, §3218, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1717, set out rule of construction.

Prior sections 6921 to 6928, which comprised former part C of this subchapter, were omitted in the general amendment of this subchapter by Pub. L. 107-110.

Section 6921, Pub. L. 89-10, title III, §3301, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3663, related to Ready-to-Learn television.

A prior section 3301 of Pub. L. 89-10 was renumbered section 3201 and is classified to section 7011 of this title.

Section 6922, Pub. L. 89-10, title III, §3302, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3663, related to educational programming.

Section 6923, Pub. L. 89-10, title III, §3303, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3664, set forth duties of Secretary.

A prior section 3303 of Pub. L. 89-10 was renumbered section 3202 and is classified to section 7013 of this title.

Section 6924, Pub. L. 89-10, title III, §3304, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3665, related to applications.

A prior section 3304 of Pub. L. 89-10 was renumbered section 3203 and is classified to section 7014 of this title.

Section 6925, Pub. L. 89-10, title III, §3305, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3665, related to reports and evaluation of program activities.

Section 6926, Pub. L. 89-10, title III, §3306, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3665, related to administrative costs.

Section 6927, Pub. L. 89-10, title III, §3307, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3665, defined "distance learning".

Section 6928, Pub. L. 89-10, title III, §3308, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3666, authorized appropriations.

Prior sections 6931 to 6935 and 6951 were repealed by Pub. L. 114-95, §5, title III, §3001(3), Dec. 10, 2015, 129 Stat. 1806, 1953, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Section 6931, Pub. L. 89-10, title III, §3221, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1717, related to authority of the Secretary.

Section 6932, Pub. L. 89-10, title III, §3222, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1717; amended Pub. L. 107-279, title IV, §404(d)(5)(A), Nov. 5, 2002, 116 Stat. 1986, related to research.

Section 6933, Pub. L. 89-10, title III, §3223, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1718, related to academic excellence awards.

Section 6934, Pub. L. 89-10, title III, §3224, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1719, related to State grant program.

Section 6935, Pub. L. 89-10, title III, §3225, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1720, related to instruction materials development.

Section 6951, Pub. L. 89-10, title III, §3231, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1720, related to professional development grants.

A prior section 6951, Pub. L. 89-10, title III, §3401, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3666, authorized a national telecommunications-based demonstration project to improve the teaching of mathematics, prior to the general amendment of this subchapter by Pub. L. 107-110.

Prior sections 6952 and 6953 were omitted in the general amendment of this subchapter by Pub. L. 107-110.

Section 6952, Pub. L. 89-10, title III, §3402, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3666, required application for demonstration project grant.

Section 6953, Pub. L. 89-10, title III, §3403, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3666, authorized appropriations.

Prior sections 6961 to 6968 were repealed by Pub. L. 114-95, §5, title III, §3001(3), Dec. 10, 2015, 129 Stat. 1806, 1953, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Section 6961, Pub. L. 89-10, title III, §3241, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1723, related to purpose of former subpart 4 of part B of this subchapter.

Section 6962, Pub. L. 89-10, title III, §3242, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1723, related to State administrative costs.

Section 6963, Pub. L. 89-10, title III, §3243, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1724, related to withholding of funds.

Section 6964, Pub. L. 89-10, title III, §3244, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1724, related to State allotments.

Section 6965, Pub. L. 89-10, title III, §3245, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1725, related to State applications.

Section 6966, Pub. L. 89-10, title III, §3246, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1727, related to administrative provisions.

Section 6967, Pub. L. 89-10, title III, §3247, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1727, related to uses of funds.

Section 6968, Pub. L. 89-10, title III, §3248, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1728, related to reports.

Prior sections 6971 to 6979 were omitted in the general amendment of this subchapter by Pub. L. 107-110.

Section 6971, Pub. L. 89-10, title III, §3501, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3667, set forth short title of the Elementary Mathematics and Science Equipment Act.

Section 6972, Pub. L. 89-10, title III, §3502, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3667, stated purpose of former provisions.

Section 6973, Pub. L. 89-10, title III, §3503, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3667, authorized program for the provision of equipment and materials to elementary schools to improve mathematics and science education.

Section 6974, Pub. L. 89-10, title III, §3504, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3667, related to allotments of funds.

Section 6975, Pub. L. 89-10, title III, §3505, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3668, related to State application for an allotment.

Section 6976, Pub. L. 89-10, title III, §3506, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3669, related to local application for a grant.

Section 6977, Pub. L. 89-10, title III, §3507, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3670, set forth program requirements.

Section 6978, Pub. L. 89-10, title III, §3508, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3670, related to Federal administration of programs.

Section 6979, Pub. L. 89-10, title III, §3509, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3671, authorized appropriations.

Prior sections 6981 to 6983 were repealed by Pub. L. 114-95, §5, title III, §3001(3), Dec. 10, 2015, 129 Stat. 1806, 1953, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Section 6981, Pub. L. 89-10, title III, §3251, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1728, related to professional release time.

Section 6982, Pub. L. 89-10, title III, §3252, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1728, related to notification of awards.

Section 6983, Pub. L. 89-10, title III, §3253, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1728, related to coordination and reporting requirements.

A prior section 7001, Pub. L. 89-10, title III, §3601, as added Pub. L. 106-554, §1(a)(4) [div. B, title XVII, §1711], Dec. 21, 2000, 114 Stat. 2763, 2763A-337, related to limitation on availability of certain funds for schools, prior to the general amendment of this subchapter by Pub. L. 107-110.

Another prior section 7001 and prior sections 7002 to 7005 were repealed by Pub. L. 104-208, div. A, title I, §101(e) [title VII, §708(e)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-312.

Section 7001, Pub. L. 89-10, title III, §3601, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3671, authorized elementary and secondary school library media resources program.

Section 7002, Pub. L. 89-10, title III, §3602, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3671, related to allocation of funds to States.

Section 7003, Pub. L. 89-10, title III, §3603, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3671, required State plans meeting certain criteria.

Section 7004, Pub. L. 89-10, title III, §3604, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3672,

related to distribution of allocations to local educational agencies.

Section 7005, Pub. L. 89-10, title III, §3605, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3672, authorized appropriations.

EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

PART B—GENERAL PROVISIONS

CODIFICATION

Pub. L. 114-95, title III, §3001(4), Dec. 10, 2015, 129 Stat. 1953, redesignated part C (§7011 et seq.) of this subchapter as part B of this subchapter.

PRIOR PROVISIONS

A prior part B, consisting of sections 6891 to 6894, 6911 to 6918, 6931 to 6935, 6951, 6961 to 6968, and 6981 to 6983 of this title, related to improving language instruction educational programs, prior to repeal by Pub. L. 114-95, title III, §3001(3), Dec. 10, 2015, 129 Stat. 1953.

§ 7011. Definitions

Except as otherwise provided, in this subchapter:

(1) Child

The term “child” means any individual aged 3 through 21.

(2) Community-based organization

The term “community-based organization” means a private nonprofit organization of demonstrated effectiveness, Indian tribe, or tribally sanctioned educational authority, that is representative of a community or significant segments of a community and that provides educational or related services to individuals in the community. Such term includes a Native Hawaiian or Native American Pacific Islander native language educational organization.

(3) Eligible entity

The term “eligible entity” means—

(A) one or more local educational agencies; or

(B) one or more local educational agencies, in consortia or collaboration with an institution of higher education, educational service agency, community-based organization, or State educational agency.

(4) English learner with a disability

The term “English learner with a disability” means an English learner who is also a child with a disability, as that term is defined in section 1401 of this title.

(5) Immigrant children and youth

The term “immigrant children and youth” means individuals who—

(A) are aged 3 through 21;

(B) were not born in any State; and

(C) have not been attending one or more schools in any one or more States for more than 3 full academic years.

(6) Indian tribe

The term “Indian tribe” means any Indian tribe, band, nation, or other organized group

or community, including any Native village or Regional Corporation or Village Corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.], that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(7) Language instruction educational program

The term “language instruction educational program” means an instruction course—

(A) in which an English learner is placed for the purpose of developing and attaining English proficiency, while meeting challenging State academic standards; and

(B) that may make instructional use of both English and a child’s native language to enable the child to develop and attain English proficiency, and may include the participation of English proficient children if such course is designed to enable all participating children to become proficient in English and a second language.

(8) Native American and Native American language

The terms “Native American” and “Native American language” shall have the meanings given such terms in section 2902 of title 25.

(9) Native Hawaiian or Native American Pacific Islander native language educational organization

The term “Native Hawaiian or Native American Pacific Islander native language educational organization” means a nonprofit organization with—

(A) a majority of its governing board and employees consisting of fluent speakers of the traditional Native American languages used in the organization’s educational programs; and

(B) not less than 5 years successful experience in providing educational services in traditional Native American languages.

(10) Native language

The term “native language”, when used with reference to an individual of limited English proficiency, means—

(A) the language normally used by such individual; or

(B) in the case of a child or youth, the language normally used by the parents of the child or youth.

(11) Paraprofessional

The term “paraprofessional” means an individual who is employed in a preschool, elementary school, or secondary school under the supervision of a certified or licensed teacher, including individuals employed in language instruction educational programs, special education, and migrant education.

(12) Specially qualified agency

The term “specially qualified agency” means an eligible entity in a State whose State educational agency—

(A) does not participate in a program under subpart 1 of part A for a fiscal year; or

(B) submits a plan (or any amendment to a plan) that the Secretary, after reasonable